

AMENDED IN ASSEMBLY JUNE 16, 2005

AMENDED IN SENATE APRIL 12, 2005

SENATE BILL

No. 1103

Introduced by Senator Dutton

February 22, 2005

An act to amend Section 513 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1103, as amended, Dutton. State parks: cooperating associations.

Existing law establishes, within the Resources Agency, the Department of Parks and Recreation, which administers the state park system within the state.

Existing law authorizes the department, as a means of furthering the interpretive and educational functions of the state park system, to enter into agreements to act cooperatively with private nonprofit scientific or historical associations engaged in educational or interpretive work in state park system units.

This bill, instead, would authorize the department to enter into agreements with cooperating associations, as defined, for specified purposes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 513 of the Public Resources Code is
2 amended to read:

1 513. (a) The department, as a means of furthering the
2 interpretive and educational functions of the state park system,
3 may enter into ~~agreements~~ *an agreement* to act cooperatively
4 with ~~a nonprofit cooperating associations~~ *association* engaged in
5 educational or interpretive work in ~~a state park system-units~~ *unit*,
6 as the director may designate, whereby the cooperating
7 association would furnish educational or interpretive materials or
8 services, or both, for sale to the public.

9 ~~(b) For purposes of this section, "cooperating association"~~
10 ~~means a corporation that meets all of the following criteria:~~

11 *(b) Pursuant to Article 1 (commencing with Section 5080.02)*
12 *of Chapter 1.2 of Division 5, a concession may provide materials*
13 *and services that are intended to add to the convenience,*
14 *enjoyment, and safety of state park system visitors. A concession*
15 *may also provide, pursuant to this section, educational and*
16 *interpretive materials and services, as defined in paragraphs (2)*
17 *and (3) of subdivision (d), with approval of the department.*

18 *(c) A cooperating association may provide, pursuant to this*
19 *section, noneducational and noninterpretive materials and*
20 *services, as described in paragraph (4) of subdivision (d), as part*
21 *of its cooperating association program with the approval of the*
22 *department, if the department is unable to obtain, through a good*
23 *faith effort, a concessionaire to provide those materials and*
24 *services.*

25 *(d) For purposes of this section, the following definitions*
26 *apply:*

27 *(1) "Cooperating association" means a corporation that*
28 *meets all of the following criteria:*

29 ~~(1)–~~

30 *(A) The corporation is a nonprofit public benefit corporation,*
31 *organized pursuant to Part 2 (commencing with Section 5110) of*
32 *Division 2 of Title 1 of the Corporations Code.*

33 ~~(2)–~~

34 *(B) The articles of incorporation of the corporation state that*
35 *the specific purpose of the corporation is to provide support for*
36 *educational or interpretive programs of the state park system, or*
37 *portions thereof.*

38 ~~(3)–~~

39 *(C) The corporation has a cooperating ~~associations~~ association*
40 *program contract with the department.*

~~(4)~~

(D) The corporation is in compliance with the department's policies and guidelines regarding cooperating associations *and has obtained the department's approval for its educational and interpretive materials and services.*

(2) *"Educational and interpretive materials" include items that promote visitor appreciation, understanding, and knowledge of natural, cultural, and historic resources of the state park system, including educational and interpretive gifts and souvenirs.*

(3) *"Educational and interpretive services" include those activities and programs that focus on natural, cultural, and historic resources of the state park system, and are not generally offered by the department.*

(4) *"Educational and interpretive materials and services" do not include lodging, food service, horse and equipment rentals, camping supplies, gifts and souvenirs other than those described in paragraph (2), transportation, except for equipment owned by the department, recreational lessons, and the operation of specialized facilities within a park unit such as the theater at Hearst San Simeon State Historic Monument and Old Town San Diego State Historic Park, golf courses, and marinas.*

~~(e)~~

(e) The department, at its discretion, may provide the services of department personnel and shall provide space, if available, for the sale of cooperating association materials or services, or both, within a state park unit ~~or units~~.

~~(d)~~

(f) Subject to rules and regulations that the director shall adopt, all moneys collected by the cooperating association or received by the department from the sale of cooperating association materials or services, or both, provided by an association shall be retained by or returned to the cooperating association for use in the interpretive or educational programs of the state park system unit ~~or units~~ that the cooperating association has been designated to serve.